

From: [MCCLINCY Matt](#)
To: [Peter deFur](#); [Chip_Humphrey/R10/USEPA/US@EPA](#); [Judy Smith/R10/USEPA/US@EPA](#); [ANDERSON Jim M](#)
Cc: [WILLIAMS Travis](#); [Sean Sheldrake/R10/USEPA/US@EPA](#); [DANAB Marcia](#)
Subject: RE: Arkema and future documents
Date: 03/17/2009 10:27 AM

Peter,

As I am sure you are aware, Oregon DEQ and EPA split responsibilities and leads on both the Arkema and Portland Harbor project. EPA is the lead for the in-water RI/FS and the Arkema sediment in-water Early Action. DEQ is the lead for upland source control and upland cleanup. As the DEQ project manager for the Arkema site, I am responding to your e-mail representing the DEQ half of the project.

1. DEQ does maintain an e-mail list of parties interested in the Portland Harbor Project which we use for notices, etc. I will see that you are added to this list.

2. Regarding your impression that you were already on the notification and distribution list for all documents related to the Arkema cleanup. I am not aware of any agreement with DEQ to provide upland documents. It may be an understanding that you have with EPA for the Early Action (in-water) aspect of the project.

With the need to closely coordinate upland and in-water activities at the Arkema site, DEQ and EPA share project documents. EPA posts the majority of Arkema project documents (both upland and in-water related) on their web page. The upland ecological and human health risk assessment documents you referenced relate to the upland project and are not part of the source control or in-water effort other than as background information. DEQ has accepted the revised Upland Human Health Risk Assessment for Arkema, and our review of the revised Upland Ecological Risk Assessment will be completed this week. Public comment on project documents such as risk assessments are not part of DEQ's public involvement program and public comment on them are not required by statute or rule. Documents such as risk assessments are part of the administrative record that forms the basis for DEQ proposed actions that are subject to public notice and comment. That said, if a member of the community wanted to actively participate in elements of the upland project beyond the standard check in points, DEQ would work with them.

3. The public notice was issued March 9, and the 30 day comment period closes April 8, 2009. I am certainly available to answer any questions that you have regarding DEQ's proposed source control action, but DEQ is not willing to extend the public comment period at this time.

4. DEQ is interpreting your request for notification regarding Portland Harbor Project documents as a request to EPA and for in-water RI/FS related documents. Since DEQ is actively managing approximately 60 upland projects, there are hundreds of upland project related documents that are received by DEQ yearly. If you are interested in a specific upland project or upland document, you can either:

A. Request documents through DEQ's file review process by contacting

Dawn Weinberger
ECSI Records Specialist
2020 SW Fourth Avenue, Ste. 400
Portland, OR., 97201
503-229-6729
Fax: 503-229-6899
Weinberger.Dawn@deq.state.or.us

B. Or, Requesting the project document through EPA.

Matt McClincy
Oregon Department of Environmental Quality
Northwest Region
2020 SW Fourth Ave., Suite 400
Portland, Oregon 97201-4987
Phone 503-229-5538
Fax 503-229-6945

-----Original Message-----

From: Peter deFur [<mailto:pldefur@igc.org>]
Sent: Friday, March 13, 2009 9:49 AM
To: MCCLINCY Matt; Humphrey.Chip@epamail.epa.gov;
Smith.Judy-epamail.epa.gov; ANDERSON Jim M
Cc: WILLIAMS Travis
Subject: Arkema and future documents

Matt, Jim, Chip and Judy-

The presentation on the Arkema site cleanup was highly informative and will enable me to better review the documents on the cleanup plan. I was surprised to learn that the groundwater cleanup plan had been released for public comment because I had received no notice of same. The materials on the web site seem to indicate that the report was released March 2 and that there is a public comment period closing April 8, 2009.

I appreciate someone sending me the disk with the full report on it,

whoever that is/was.

I was under the impression that I was already on the notification and distribution list for all documents related to this site clean up, but I was obviously wrong in that assumption. I see that at least two other documents, an ecological and a human health risk assessment have been released and are on the web. I did not see anything about public comments on either of these two documents.

The other item that is not entirely straightforward is that the Arkema site is part of the source control/upland cleanup, and as such I am sure that members of the public expect to find the relevant reports on the OR web site, but these are on the EPA web site. I'd ask to make sure there is plenty of notice on the OR site that the documents are available on the EPA web site.

I have two official requests:

1) I am formally requesting an extension of the public comment period for the Arkema groundwater cleanup plan report that is now out for public comment because the TAG consultant was not notified of the availability of the document until 10 days after the report was made available and the comment period began. My request is to extend the comment period until April 20th, 30 days after I was notified of the availability of the document and the 30 day comment period.

2) I am requesting electronic notification or delivery of any and all documents, reports, data or other information regarding the Portland Harbor cleanup.

Please let me know as soon as possible if I need to make either or both of these formal requests in any other form than this email.

Thank you,

Peter deFur

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